

**REGULAR MEETING AGENDA OF THE
CITY COUNCIL OF LAYTON, UTAH**

PUBLIC NOTICE is hereby given that the City Council of Layton, Utah, will hold a regular public meeting in the Council Chambers in the City Center Building, 437 North Wasatch Drive, Layton, Utah, commencing at **7:00 PM on June 4, 2015.**

AGENDA ITEMS:

1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES:

2. MUNICIPAL EVENT ANNOUNCEMENTS:

3. VERBAL PETITIONS AND PRESENTATIONS:

4. CITIZEN COMMENTS:

5. CONSENT ITEMS:(These items are considered by the City Council to be routine and will be enacted by a single motion. If discussion is desired on any particular consent item, that item may be removed from the consent agenda and considered separately.)

- A. Acquisition of Property to Accommodate Frontage Road Along I-15 Corridor - Resolution 15-34 - North of Antelope Drive and West of University Park Boulevard
- B. Renewal and Extension of Lease Agreement with State of Utah for Justice Center Building - Resolution 15-35
- C. Mayoral and Council Support of Placing an Opinion Question on the November 3, 2015, Ballot asking Layton City Residents' Opinion Regarding Imposition of a RAMP Tax - Resolution 15-36
- D. Preliminary Plat – Layton Farms Subdivision – Approximately 1600 North 2200 West

6. PUBLIC HEARINGS:

- A. Rezone Request – Adams/Craythorne – A (Agriculture) to R-1-8 (Single-Family Residential) – Ordinance 15-15 – Approximately 752 West Gentile Street

7. PLANNING COMMISSION RECOMMENDATIONS:

8. NEW BUSINESS:

9. UNFINISHED BUSINESS:

10. SPECIAL REPORTS:

ADJOURN:

Notice is hereby given that:

- A Redevelopment Agency (RDA) Meeting will be held at 5:30 p.m. A Work Meeting will be held at 5:30 p.m. to discuss miscellaneous matters.
- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Layton City Council Chambers, 437 North Wasatch Drive, Layton City. Members at remote locations may be connected to the meeting telephonically.
- By motion of the Layton City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed meeting for any of the purposes identified in that chapter.

Date: _____

By: _____

Thieda Wellman, City Recorder

LAYTON CITY does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the employment or the provision of services. If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify Layton City eight or more hours in advance of the meeting. Please contact Kiley Day at 437 North Wasatch Drive, Layton, Utah 84041, 801.336.3825 or 801.336.3820.

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.A.

Subject:

Acquisition of Property to Accommodate Frontage Road Along I-15 Corridor - Resolution 15-34 - North of Antelope Drive and West of University Park Boulevard

Background:

The City Council authorized the construction of a frontage road along the east side of the I-15 corridor, north of Antelope Drive and west of University Park Boulevard. In order to complete the project a large parcel of property was acquired. In working with the State and its right-of-way corridor of I-15, some minor adjustments were necessary to meet the appropriate alignment while minimizing the impact on adjacent properties. The end product will prove beneficial for both the traveling public and access for the property owners. These adjustments require some minor additional acquisitions of property, approximately less than three hundred (300) square feet.

Resolution 15-34 authorizes Staff to negotiate the acquisition of these properties and to acquire the property as long as any value given for the property does not exceed ten percent (10%) above the market value of the property. This value would include any improvements on the remaining private property. Resolution 15-34 also authorizes the Mayor to execute the documents necessary to complete these acquisitions and ratifies any action that may have been taken by the City in obtaining these properties.

Alternatives:

Alternatives are to 1) Adopt Resolution 15-34 authorizing the acquisition of property to accommodate the frontage road along the I-15 corridor and ratify any actions taken by the City in obtaining these properties; 2) Adopt Resolution 15-34 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 15-34 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 15-34 authorizing the acquisition of property to accommodate the frontage road along the I-15 corridor and ratify any actions taken by the City in obtaining these properties and authorize the Mayor to sign the necessary documents.

RESOLUTION 15-34

A RESOLUTION AUTHORIZING THE ACQUISITION OF PROPERTY TO HOUSE AND ACCOMMODATE A FRONTAGE ROAD ALONG THE I-15 CORRIDOR, NORTH OF ANTELOPE DRIVE, WEST OF UNIVERSITY PARK BOULEVARD; AUTHORIZING THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS; AND RATIFYING ACTIONS PURSUANT HERETO.

WHEREAS, the City has undertaken a project, in conjunction with the Utah Department of Transportation, to construct a frontage road along the east side of the I-15 corridor, north of Antelope Drive, and west of University Boulevard; and

WHEREAS, while the primary property acquisitions have been completed, it has been determined that additional minor acquisitions are needed to fully house and accommodate the frontage road and its attendant improvements; and

WHEREAS, in order to acquire the needed property, the Council is to authorize the negotiation and acquisition of these parcels, and in anticipation hereof those property owners have been notified of the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the City Council hereby authorizes staff to negotiate for the acquisition of the needed remaining property for the frontage road on the east side of the I-15 corridor, north of Antelope Drive and west of University Park Boulevard.

2. That Staff is authorized to negotiate the acquisition of these properties for a value not to exceed ten percent (10%) of market value, including any exchange which includes improvements to their properties.

3. That any actions taken heretofore in furtherance of this resolution are hereby ratified.

4. That the Mayor is authorized to execute the documents necessary to complete these transactions.

PASSED AND ADOPTED by the City Council of Layton, Utah, this 4th day of June, 2015.

ROBERT J STEVENSON, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



STEVEN L GARSIDE, Assistant City Attorney

Mail filed copy to:

Layton City Corporation
437 North Wasatch Drive
Layton, Utah 84041

QUIT-CLAIM DEED

VS INVESTORS, LLC, a Delaware limited liability company (GRANTOR(S)), of 288 Clayton Street, Suite 206, Denver, County of Denver, State of Colorado, hereby **QUIT-CLAIM** to LAYTON CITY CORPORATION, GRANTEE(S), of 437 North Wasatch Drive, Layton, County of Davis, State of Utah, for the sum of Ten Dollars (\$10.00) and/or other valuable consideration, the following described tract of land in Davis County, State of Utah:

Any interest in the following described property:

BEGINNING AT A POINT ON A CURVE, SAID POINT BEING LOCATED NORTH 00°10'30" EAST ALONG THE EAST LINE OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN 680.63 FEET AND WEST 693.62 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION AND RUNNING THENCE SOUTH 89°47'00" WEST 0.84 FEET; THENCE NORTH 00°11'03" EAST 586.09 FEET; THENCE SOUTH 00°06'19" WEST 580.87 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A 383.50 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 00°46'40" A DISTANCE OF 5.21 FEET (CHORD BEARS SOUTH 00°17'00" EAST 5.21 FEET) TO THE POINT OF BEGINNING.

CONTAINS - 237 SQ. FT.

PARCEL NO(S). 09-023-0088

WITNESS the hand of said Grantor(s), this _____ day of _____, 2015.

GRANTOR(S)

VS INVESTORS, LLC

By: _____
Title: _____

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the _____ day of _____, 2015, personally appeared before me, _____, the signer of the above instrument, who being duly sworn did say, that they are both members of VS INVESTORS, LLC, and are duly authorized by said company, to sign the above instrument, on behalf of said company, and _____ duly acknowledged to me that said company, VS INVESTORS, LLC, executed the same.

NOTARY PUBLIC

The Quit-Claim Deed signed by VS INVESTORS, LLC, dated the _____ day of _____, 2015, has been accepted by Layton City on the _____ day of _____, 2015.

ROBERT J STEVENSON, Mayor

ATTEST:

APPROVED AS TO FORM
BY *[Signature]* 5/21/2015

THIEDA WELLMAN, City Recorder

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

On the _____ day of _____, 2015, personally appeared before me ROBERT J STEVENSON, who duly acknowledged to me that he is the MAYOR of LAYTON CITY, and that the document was signed by him in behalf of said corporation, and ROBERT J STEVENSON acknowledged to me that said corporation executed the same.

NOTARY PUBLIC

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.B.

Subject:

Renewal and Extension of Lease Agreement with State of Utah for Justice Center Building - Resolution 15-35

Background:

When the City constructed the City Center and Justice Center, it entered into a lease agreement with the State. That lease allowed the State to house the Layton Department of the Second Judicial District Court on the upper level of the Justice Center building. That lease also provided the State with an option to purchase the building. The State exercised that option and then provided a leasing option to the City for the lower level of the building, the current location of the Police Department. That lease was entered into in February 2012, with an expiration date of June 2015.

In anticipation of that expiration an amendment to that lease agreement has been prepared. All of the provisions of the current agreement remain in effect with the exception of the term and renewal provisions. The term of the agreement is proposed to be for a seven year period and the option to renew will be a five year period. The lease payment remains the same.

Alternatives:

Alternatives are to 1) Adopt Resolution 15-35 authorizing the City to renew and extend the lease agreement with the State of Utah for a portion of the Justice Center building; 2) Adopt Resolution 15-35 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 15-35 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 15-35 authorizing the City to renew and extend the lease agreement with the State of Utah for a portion of the Justice Center building and authorize the Mayor to sign the necessary documents.

RESOLUTION 15-35

A RESOLUTION AUTHORIZING THE CITY TO RENEW AND EXTEND A LEASE AGREEMENT WITH THE STATE OF UTAH FOR A PORTION OF THE JUSTICE CENTER IN LAYTON CITY; AND AUTHORIZING THE MAYOR TO EXECUTE THE RENEWED LEASE AGREEMENT.

WHEREAS, when the State of Utah took ownership of the Justice Center building in Layton, it offered a lease agreement to the City. Pursuant to that agreement, the City's Police Department has occupied a portion of that building; and

WHEREAS, the initial lease agreement was authorized and entered into in February 2012, and is set to expire in June 2015; and

WHEREAS, the lease agreement has been mutually beneficial and it is the desire of the City to continue with the arrangement, by renewing the lease and extending it for a seven year term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the City renew and extend its current lease arrangement with the State for occupying a portion of the Justice Center building by agreeing to an amendment to the original lease agreement which extends the lease for seven years; provides for renewal and extension options; and maintains the current cost structure.

2. That the Mayor is hereby authorized to execute the necessary documents extending the lease agreement with the State for a portion of the Justice Center building.

PASSED AND ADOPTED by the City Council of Layton, Utah, this 4th day of June, 2015.

ROBERT J STEVENSON, Mayor

ATTEST:

THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



STEVEN L GARSIDE, Assistant City Attorney

**DOCUMENT WAS
RECEIVED FROM
OUTSIDE SOURCE**

STATE OF UTAH
ADMINISTRATIVE OFFICE OF THE COURTS

**CONTRACT NO. 12-1679
AMENDMENT NO. 1**

TO BE ATTACHED TO AND MADE A PART OF the above numbered contract by and between Layton City, a political subdivision of the State of Utah, whose principal place of business is 437 N Wasatch Dr., Layton, Utah 84041, hereinafter called "Tenant" and the State of Utah, Administrative Office of the Courts, whose principal place of business is 450 South State Street, P.O. Box 140241, Salt Lake City, Utah 84114-0241, hereinafter called "Landlord."

WITNESSETH

THAT WHEREAS, Landlord and Tenant have heretofore entered into that certain Lease Agreement (Contract No. 12-1679) Located at 425 N. Wasatch Dr., Layton, Utah 84041 for the occupancy and operation of the Layton City Police Department, which currently expires June 30, 2015; and

WHEREAS, Landlord and Tenant are mutually desirous to renew the subject Lease Agreement for an additional Seven (7) years term; and

NOW THEREFORE, for and in consideration of the mutual covenants, conditions, and agreements herein contained, and other good and valuable considerations, it is covenanted and agreed between the parties that the aforesaid Lease Agreement be modified and amended as follows:

PARAGRAPH 1 RENEWAL OR EXTENDED TERM

1.1 The Lease Agreement is hereby renewed and extended for an additional term which term shall commence July 1, 2015, and shall expire June 30, 2022 and shall continue thereafter on a month to month rental basis. If option to renew is not exercised by Tenant as provided for in Paragraph 2 of this Lease Amendment No 1, the Lease will remain on a month to month basis until terminated by either party by giving thirty (30) days advance written notice to the other party.

PARAGRAPH 2 OPTION TO RENEW

2.1 Landlord covenants with Tenant that Landlord shall, again grant and lease to Tenant at the expiration of the lease term, the Premises pursuant to the provisions of this Lease for and during the term of Five (5) years thereafter, with a like covenant for future renewals of the Lease as is contained in this Amendment No. 1, and on the same terms and conditions, except as to the annual rentals, which rentals shall be subject to negotiations.

PARAGRAPH 3 CONSIDERATION

3.1 For the period beginning July 1, 2015, and ending June 30, 2022, Tenant shall pay to Landlord rent in accordance with the following rental payment schedule:

Fiscal Yr	Period Beginning Date	Period Ending Date	Rental Payment	Rent Due
FY 2016	07/01/16	06/30/16	\$ 132,000.00	\$ 132,000.00
FY 2017	07/01/17	06/30/17	\$ 132,000.00	\$ 132,000.00
FY 2018	07/01/18	06/30/18	\$ 132,000.00	\$ 132,000.00
FY 2019	07/01/19	06/30/19	\$ 132,000.00	\$ 132,000.00
FY 2020	07/01/20	06/30/20	\$ 132,000.00	\$ 132,000.00
FY 2021	07/01/21	06/30/21	\$ 132,000.00	\$ 132,000.00
FY 2022	07/01/22	06/30/22	\$ 132,000.00	\$ 132,000.00
Total Due			\$ 924,000.00	\$ 924,000.00

All other covenants, terms, and conditions of the subject Lease Agreement, as amended, are not modified by this Lease Amendment No. 1 and are to remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto sign and cause this Lease Amendment No. 1 to be executed.

Landlord
Administrative Office of the Court

Tenant
Layton City

Ray Wahl Date
Deputy Court Administrator

Date
City Manager

Derek Byrne Date
Budget Manager

Date
City Recorder

Approved:

Brent Johnson Date
AOC General Counsel

APPROVED AS TO FORM
BY [Signature] 5/19/2015

Utah Division of Finance

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.C.

Subject:

Mayoral and Council Support of Placing an Opinion Question on the November 3, 2015, Ballot asking Layton City Residents' Opinion Regarding Imposition of a RAMP Tax - Resolution 15-36

Background:

Utah State Code authorizes a City to submit an opinion question to its voters as to whether or not the City should impose a local sales and use tax of 0.1% to finance recreation, arts, museums and parks (RAMP) facilities and the operating expenses of these facilities.

On March 19, 2015, Layton City passed and adopted Resolution 15-17 providing notification to the Davis County Commission of Layton City's intent to submit an opinion question to Layton City residents regarding a RAMP tax.

On April 7, 2015, Davis County Commissioners unanimously adopted Resolution 2015-144 declaring its intent not to impose a tax under Title 59, Chapter 12, Part 7, County Option Funding for Botanical, Cultural, Recreational, Zoological Organizations or Facilities.

Mayor and Council support placing an opinion question on the ballot giving opportunity for both sides of the question to express their opinion and are resolved to comply with all State laws and requirements regarding the placing of an opinion question for a RAMP tax on the ballot.

Alternatives:

Alternatives are to 1) Adopt Resolution 15-36 to support placing an opinion question on the ballot giving opportunity for both sides of the question to express their opinion and Mayor and Council are resolved to comply with all State laws and requirements regarding the placing of an opinion question for a RAMP tax on the ballot; 2) Adopt Resolution 15-36 with any amendments the Council deems appropriate; or 3) Not adopt Resolution 15-36 and remand to Staff with directions.

Recommendation:

Staff recommends the Council adopt Resolution 15-36 to support placing an opinion question on the ballot giving opportunity for both sides of the question to express their opinion and Mayor and Council are resolved to comply with all State laws and requirements regarding the placing of an opinion question for a RAMP tax on the ballot.

RESOLUTION 15-36

A RESOLUTION EXPRESSING FULL SUPPORT FOR A PROPOSED BALLOT PROPOSITION TO BE PLACED ON THE NEXT GENERAL ELECTION BALLOT TO BEGIN A SPECIAL SALES TAX THAT WILL SPECIFICALLY SUPPORT THE DEVELOPMENT OF RECREATION, ARTS, MUSEUM AND PARKS (RAMP) FACILITIES IN LAYTON CITY.

WHEREAS, The Mayor and City Council have heard from a number of citizens requesting additional funding for needs and services pertaining to Recreation, Arts, Museums and Parks; and,

WHEREAS, The Utah State Law in 59-12-Part 14 allows the citizens of any municipality to vote on whether to allow the imposition of a special sales tax to support the development and maintenance of Recreation, Arts, Museum and Parks (RAMP) facilities and allow a small amount to administer the program; and,

WHEREAS, The Mayor and City Council support the further development of Recreation, Arts, Museum and Parks facilities along with attendant programs and administration to offer a variety of additional opportunities to Layton's citizens; and,

WHEREAS, The Mayor and City Council can see that there would be a significant benefit to the citizens of Layton if a RAMP tax were to be implemented; and,

WHEREAS, Many of the citizens have voiced a willingness to fund RAMP type additional facilities and programs, a RAMP tax is charged at a rate of .1% which amounts to one penny on ten dollars would be assessed on sales, and is not charged on gasoline and food items as specified in State Law; and,

WHEREAS, The funds collected will be devoted to the development of RAMP facilities along with any approved programs and administration funded by the RAMP tax; and,

WHEREAS, A group of Layton citizens have expressed a desire to support and promote a question on the ballot in the next general election to allow the Citizens of Layton City to choose whether or not to fund Recreation, Arts, Museum and Parks facilities and programs along with the administration thereof through the imposition of a RAMP tax; and,

WHEREAS, The citizens group has begun an effort to encourage moving forward with a RAMP tax opinion question for RAMP facilities and attendant programs and the administration thereof in preparation for the next City General Election to be held November 3, 2015; and,

WHEREAS, The City Council of Layton City sees a need for funding RAMP facilities, programs and the administration thereof; and,

WHEREAS, The Council will see that all State and Local Laws are followed regarding placing the matter on the ballot; and,

WHEREAS, The Layton City Council passed Resolution No. 15-17, requesting that the opinion question to each Layton resident, providing each the opportunity to express an opinion on the imposition of a RAMP tax, be placed on the ballot in the next general election to determine the desire of the citizens.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF LAYTON, UTAH:

1. That the Mayor and City Council support placing an opinion question on the ballot giving opportunity for both sides of the question to express their opinion.
2. That the Mayor and City Council are resolved to comply with all State Laws and requirements regarding the placing of an opinion question for a RAMP tax on the ballot.

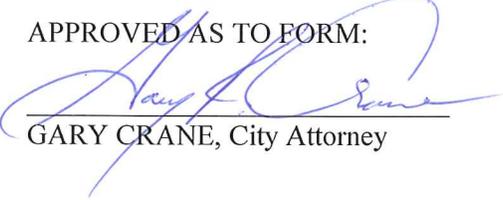
PASSED AND ADOPTED by the City Council of Layton, Utah, this **4th day of June, 2015.**

ROBERT J STEVENSON, Mayor

ATTEST:

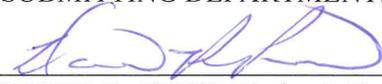
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:



DAVID R. PRICE, Parks & Recreation
Director

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 5.D.

Subject:

Preliminary Plat – Layton Farms Subdivision – Approximately 1600 North 2200 West

Background:

The applicant, Chris Loock, is requesting to develop 8.65 acres of vacant land, which includes dedicating a street right of way, establishing the D&RG rail trail, creating two parcels on both sides of the D&RG rail trail, and creating three lots for a storage unit development. Industrial properties are located to the north and southeast of the proposed subdivision and single-family residential is located to the west and south. The UP/UTA tracks are located to the east. The property is zoned manufacturing (M-2).

The City is in negotiations with the developer to purchase Parcel B for a trailhead for the D&RG rail trail. There would be a limited amount of parking for the trailhead. The future land use of Parcel A is undetermined at this time. The parcel is large enough to allow for development. Lots 1 and 2 will be developed with storage units. Lot 3 is to remain vacant for future development of either additional storage units or office/warehousing.

Alternatives:

Alternatives are to 1) Grant preliminary plat approval to Layton Farms Subdivision subject to meeting all Staff requirements as outlined in Staff memorandums; or 2) Deny granting preliminary plat approval to Layton Farms Subdivision.

Recommendation:

On May 12, 2015, the Planning Commission unanimously recommended the Council grant preliminary plat approval to Layton Farms Subdivision subject to meeting all Staff requirements as outlined in Staff memorandums.

Staff supports the recommendation of the Planning Commission.



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

Staff Report

To: City Council

From: Kem Weaver, Planner II

Date: June 4, 2015

Re: Layton Farms Subdivision Preliminary Plat

Location: Approximately 1600 North 2200 West

Zoning: M-2 (Heavy Manufacturing/Industrial)

Background:

The applicant, Chris Loock is requesting preliminary plat approval for a commercial subdivision plat known as Layton Farms. Layton Farms is to be developed on 8.65 acres of vacant land that is adjacent to the UP/UTA railroad line to the east, M-2 zoning to the north and southeast, and single family residential to the south and west.

The plat consists of 3 lots, two parcels, the D&RG rail trail and dedication of a public right-of-way. Two of the three lots are planned for storage units. Staff is currently working through site plan issues on Lots 1 and 2. Lot 3 will be for future development of either storage units or office/warehousing.

Parcel A is located between the future public right-of-way (Layton Farms Road) and the D&RG rail trail. This parcel is to remain vacant but may be developed in the future with a similar land use as Lot 3 within the subdivision. The City would like to develop a trailhead and parking for the D&RG rail trail on Parcel B. The public street right-of-way has a width of 58 feet and will act as an access for the proposed lots and for future development to the south. In addition, the public street right-of-way will facilitate City utilities within the right-of-way.

There are no minimum frontage or area requirements in the M-2 zone.

Staff Recommendation:

Staff recommends preliminary plat approval be granted subject to meeting all Staff requirements as outlined in Staff memorandums.

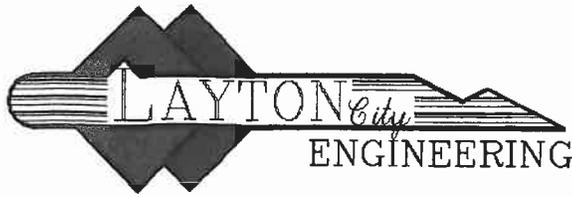
Engineering 

Planning 

Fire 

Planning Commission Action: On May 12, 2015, the Planning Commission voted unanimously to recommend the Council grant preliminary plat approval subject to meeting all Staff requirements.

The Commission asked for public comment. No public comments were given.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

To: Chris Loock – chris@utahenergysavers.com
Steve Fackrell – stephenf@pinnacle-eng-svy.com

From: Ashley Thoman, Engineering Department

CC: Building/Community Development/Fire Department

Date: May 7, 2015

RE: **Layton Farm – Commercial Site Plan Review (4th submittal)**

I have reviewed the dedication plat, construction drawings and site plan submitted April 29, 2015 for the proposed Layton Farm development located at approximately 1500 North 2200 West. The plans have been stamped "Approved – As Corrected."

The following items will need to be addressed prior to scheduling a pre-construction meeting.

Bonding

1. A cost estimate will need to be submitted for review and will need to address the offsite improvements as well as landscaping and sprinklers for the detention basin. This estimate will be the basis for the bonding amount.
2. Bonding is required for the future Layton City waterline improvements if Clearfield City water is used. The bond amount has been calculated to be \$106,610.00. The bonding must be in place before a pre-construction meeting can be scheduled.

Lights

1. The developer will be required to purchase street lights for the subdivision. The cost estimate for the street lights is \$20,810.00. The City will order and install the lights. The developer will be required to pay for the lights and installation prior to a pre-construction meeting. Street lighting will need to connect to a transformer located in the public right-of-way or a public utility easement. This estimate is based on a connection to the transformer on 2200 West at the northwest corner of this project. If an existing transformer is not available, one will need to be installed at the developer's expense. If an additional transformer is added the conceptual plan and cost estimate can be updated once a drawing showing the location of a new transformer is submitted.

Culinary Water

1. Layton City passed an ordinance on November 4, 2004 requiring all developments to provide irrigation water shares for culinary water supply. The water exaction requirement is based on the required water meter size for the development. The water exaction requirement will be determined once a final meter size has been determined for the office and stub for phase 4. Layton City accepts water shares from Davis Weber Canal Company, Kays Creek Irrigation, and Holmes Creek Irrigation. Based on the 1-inch meter indicated, 2 acre-feet are required for lots 1 & 2. The water exaction for lot 3 will be assessed when this lot develops.

General

1. An electronic version of the drawings will need to be submitted.
2. An electronic PDF and paper copy of the construction plans on 11" x 17" sheets for the State Division of Drinking Water needs to be submitted.
3. General note 18 on sheet 3 must indicate a minimum 12" wide and 8" thick concrete collar for all utilities within the public right of way.
4. An interlocal agreement between Layton City and Clearfield City must be completed. Layton City will initiate this process once final approval has been granted.
5. Per the Clearfield City review letter dated November 17, 2014, all applicable building permit and impact fees for culinary water and fire protection must be paid to Clearfield City prior to Layton City issuing a building permit.
6. Six stamped and signed sets of the drawings will need to be submitted.

Secondary Water and Irrigation

1. Written permission of the adjacent property owner will be required to build an offsite bubble-up structure at the south end of the site.

Storm Drain

1. Layton City has negotiated the purchase of an easement from Jordan Valley Water Conservancy District for the construction of the storm drainage system. The Engineering Department has requested funding in the 2015-2016 fiscal year to purchase the easement. If the funds are not approved, the developer will need to purchase the easement from Jordan Valley Water Conservancy District. The developer will be required to design and construct the storm drainage system south of Street A. Flow calculations have been provided by Layton City for the design of the pipeline. A payback agreement will be drafted for construction of the off-site storm drainage system. The developer will receive payback for the off-site storm drainage system from benefitted properties at the time the benefitted properties develop. Occupancy for this development cannot be granted until the storm drainage system is installed and functioning.
2. The City will secure the necessary permits from UTA to cross their right-of-way when an approved set of plans is provided. Any changes required by UTA will need to be included in the final plans submitted for the pre-construction meeting. Typically UTA requires any pipes to be cased through their easement.
3. The detention pond will require a maintenance agreement to ensure the function of the pond over time. A blank template of this agreement will be provided.
4. Ownership and maintenance of the shared storm drain detention pond and pipeline need to be addressed in the CCRs.

Sanitary Sewer

1. The sanitary sewer in 2200 West is owned and maintained by the North Davis Sewer District. An approval letter from the North Davis Sewer District approving the sewer connection and the storm drain improvements under their line in Gordon Avenue is required.

SWPPP

1. The Utah General Permit for Discharges from Construction Activities has been updated and became effective on July 1, 2014. This permit can be found on the Division of Water Quality's website: <http://www.waterquality.utah.gov/UPDES/docs/2014/07Jul/FinalSWConstructionGenPermit.pdf>. Please review the revised permit and update the SWPPP to meet the new requirements. Some of the significant changes, accompanied by the permit reference, are as follows:
 - the owner and operator must sign the Notice of Intent (1.1.1.) and the SWPPP certification (7.2.15.)
 - information of permit coverage must be posted onsite (1.5.)
 - the permit holders' inspector must be certified (4.1.1.)

- an inspection frequency must be selected (4.1.2.)
 - the project staff must be trained before earth-disturbing or pollutant-generating activities begin (Section 6)
2. A developer must obtain a Notice of Intent (NOI) for this development. A copy of the NOI must be submitted prior to scheduling a pre-construction meeting.

The following corrections should be made prior to submitting new drawings.

Culinary Water

1. The water connections for lots 1 & 2 should be noted on sheet 10.
2. The callout on sheet 7 indicates a 1.5" meter and service which does not match the note under the fixture count table.
3. The water connections for lots 1 & 2 should be noted on sheet 10.

Dedication Plat

1. The sum of the interior lengths along the south boundary line (658.45') does not equal the overall length shown (658.68').
2. The distances along the centerline of 2200 West from the north and south boundary lines to the centerline of Layton Farms Road will need to be added.
3. To establish the Davis Weber Canal Company easement, distances will need to be added for the line between the right-of-way for 2200 West to L5, from L5 to L6, from L7 to L8, and from the south boundary line to L8.
4. L9, L11, and L13 may be combined since they are the same bearing, as well as L10, L12 and L14.
5. The bearing of L15 should match the right-of-way.
6. The label for 2200 West will need to be shifted to be within the dedicated street and will need to be labeled as a public street.
7. The right-of-way along 2200 West comes up 0.04' short when drawn by the bearings and distances shown.
8. On sheet 6 "Future" needs to be removed from the southern portion of Street A.
9. The scale measures a bit different than 1":60'. This may be due to a plotter setting.
10. A full title report will need to be submitted. The report received March 2, 2015 does not include a description of the property. All easements from the title report will need to be included on the plat of removed from the title report.
11. The utility company approval signature block can be removed, unless there are existing or proposed easements by any of these companies.
12. Remove the "Future City Trailhead" note.
13. The first bearing in the boundary description of parcel B incorrectly reads South 89°44'59" East.

Secondary Water and Irrigation

1. Comments from the irrigation company's memo dated March 4, 2015 must be addressed.



Mayor • Bob J Stevenson
City Manager • Alex R. Jensen
Asst. City Manager • James S. Mason

• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
Fax: (801) 546-0901

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Julie Matthews

FROM: Dean Hunt, Fire Marshal

RE: Layton Farm @ 1600 North 2200 West

CC: 1) Engineering
2) Stephen Fackrell, stephenf@pinnacle-eng-svy.com
3) Chris Loock, chris@utahenergysavers.com

DATE: April 3, 2015

I have reviewed the site plan submitted on April 1, 2015 for the above referenced project. The Fire Prevention Division of this department has the following comments/concerns.

1. Upon further review of previous fire flow test information I have determined that there is significantly more fire flow available in this area than what was previously reported. On March 30, 2011 a fire flow analysis was conducted for Clearfield City which reported that at the time of the flow test, there was 3,430 GPM available in this area. This fire flow will allow buildings of Type IIB or IIIB construction to be built up to 25,900 sq. ft. and buildings of type VB construction to be built up to 15,600 sq. ft. It is my determination that the fire walls as indicated on these plans are not necessary and can be sized depending upon the type of construction used.
2. The fire hydrants and access roads that are indicated in this site plan are acceptable to the fire department as well as the location of the fire lines that are



Layton Farm
April 3, 2015
Page 2

located in the streets and access roadways of the development. If the development is divided into phases, any dead-end roads that are created that are more than 150 feet in length must be provided with temporary turn-arounds at the end of the roadways. This will be both during construction and at the finished stage of the phase.

These plans have been reviewed for Fire Department requirements only. Other departments must review these plans and may have their requirements. This review by the Fire Department must not be construed as final approval by Layton City.

DBH\Layton Farm:kn
Plan # S15-051, District #50
Project Tracker #LAY 1502051501
ERS# 8646





Memorandum

To: Planning Commission
From: JoEllen Grandy, Parks Planner Intern
Date: February 11, 2015
Re: Layton Farms, Preliminary – Approx. 1600 N. 2200 W.

The preliminary plat for this area is of interest to the Parks & Recreation Department. We have a planned trail corridor (the D&RG Trail - Denver & Rio Grande Western Railroad corridor) that begins approximately at 1600 North 2200 West (where the D&RG meets up with 2200 West). It continues southeast following the D&RG until approximately Phillips Street (the southern city boundary line).

We are interested in negotiating to acquire Parcel B - .22 acres, 9,590 sq ft - (just south of the D&RG) with interest in creating a trailhead to the D&RG.

Recommendation

Parks & Recreation will be contacting Mr. Look to discuss interest in negotiating to acquire Parcel B.

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

CITY COUNCIL

June 4, 2015

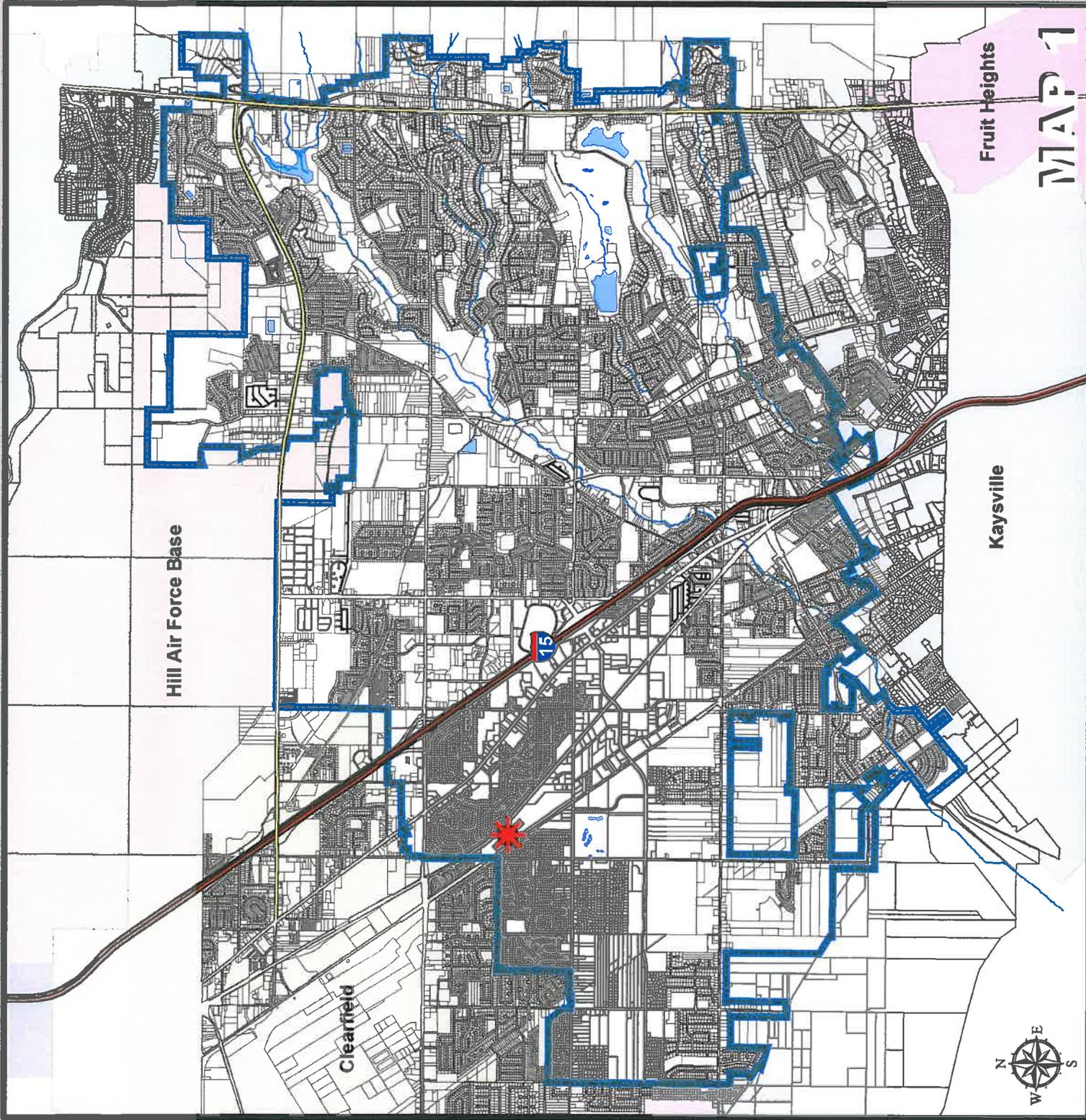
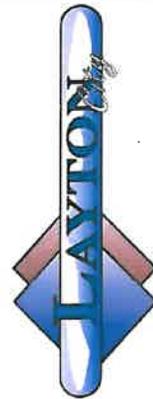
Layton Farms

Preliminary Plat

Legend

-  City Boundary
-  Interstate 15
-  Property
-  Highways
-  Lakes
-  Streams

 - Project Site



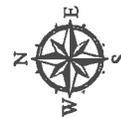
Fruit Heights

MAP 1

Kaysville

Hill Air Force Base

Clearfield



CITY COUNCIL

June 4, 2015

Layton Farms

Preliminary Plat

Legend

Centerlines

City Boundary

Interstate 15

Property

Highways

Lakes

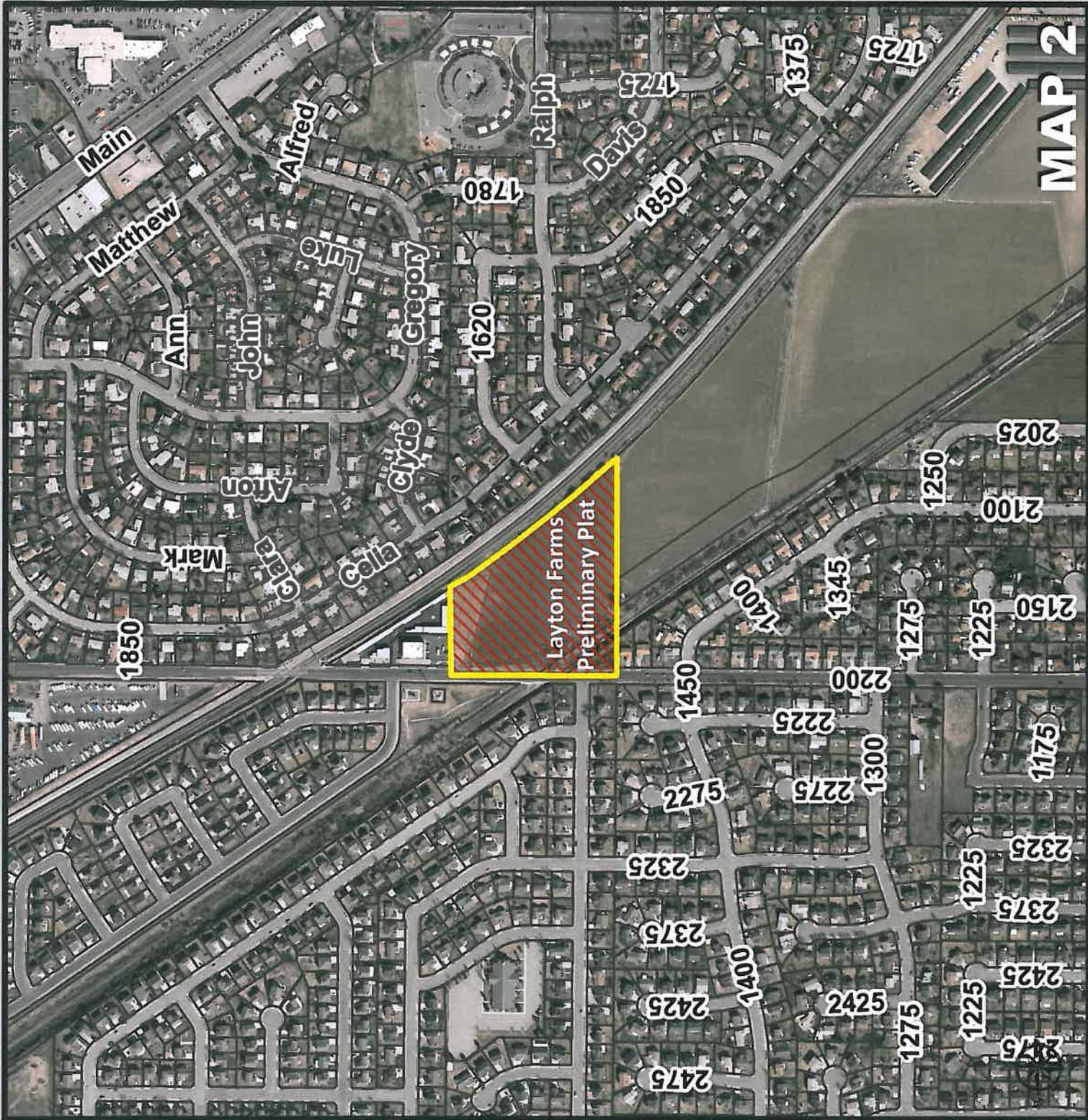
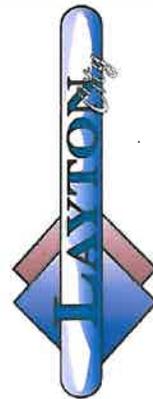
Streams



Project Area



1 inch = 530 feet



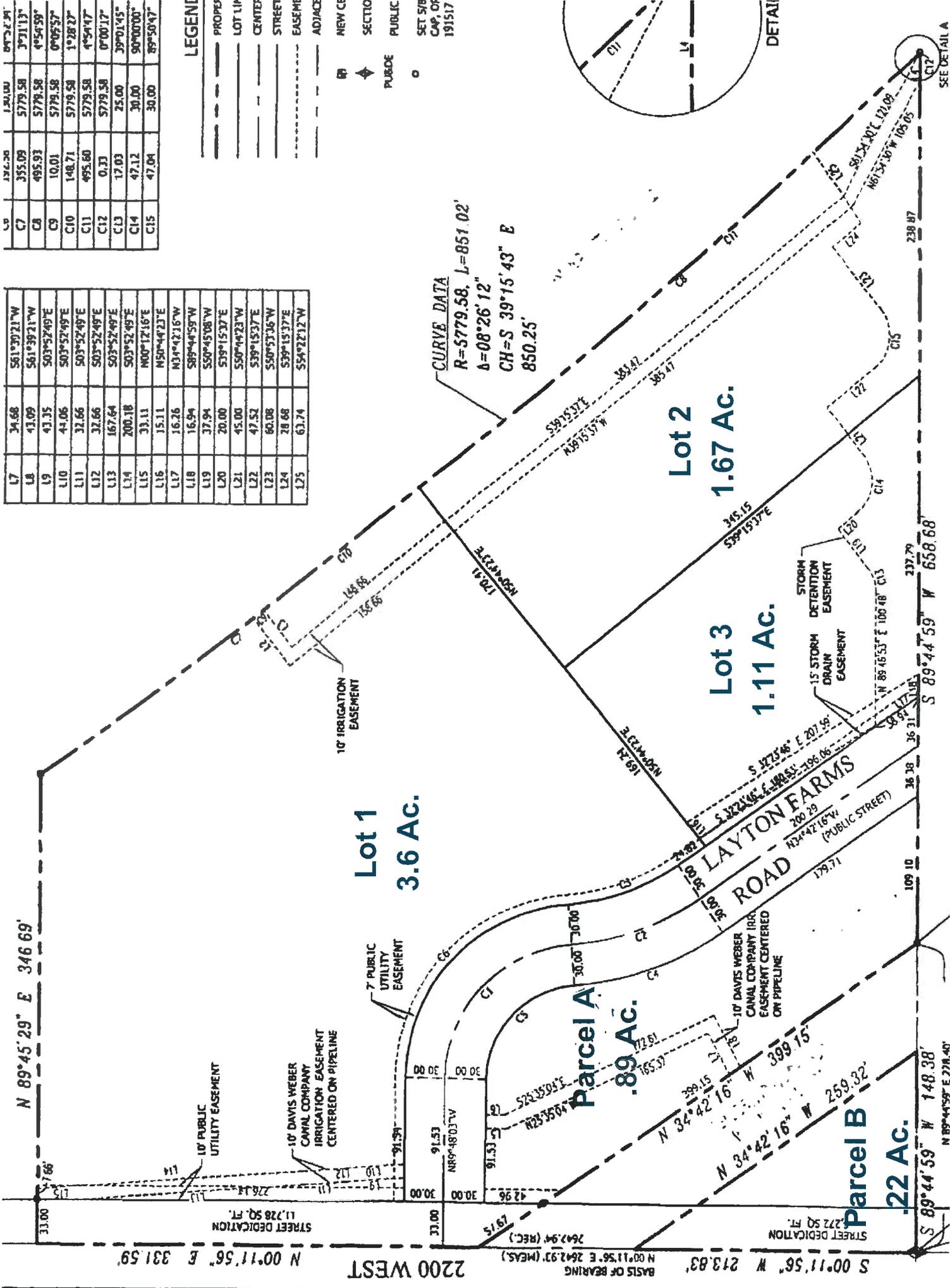
MAP 2

LINE	LENGTH	BEARING
C7	355.09	S 77° 58' 11" W
C8	495.93	S 77° 58' 11" W
C9	10.01	S 77° 58' 11" W
C10	146.71	S 77° 58' 11" W
C11	495.60	S 77° 58' 11" W
C12	0.33	S 77° 58' 11" W
C13	17.03	S 77° 58' 11" W
C14	47.12	S 77° 58' 11" W
C15	47.04	S 77° 58' 11" W

LINE	LENGTH	BEARING
L7	34.68	S 61° 30' 21" W
L8	41.09	S 61° 30' 21" W
L9	43.35	S 61° 30' 21" W
L10	44.06	S 61° 30' 21" W
L11	32.66	S 61° 30' 21" W
L12	32.66	S 61° 30' 21" W
L13	167.64	S 61° 30' 21" W
L14	200.18	S 61° 30' 21" W
L15	33.11	S 61° 30' 21" W
L16	15.11	S 61° 30' 21" W
L17	16.26	S 61° 30' 21" W
L18	16.94	S 61° 30' 21" W
L19	37.94	S 61° 30' 21" W
L20	20.00	S 61° 30' 21" W
L21	45.00	S 61° 30' 21" W
L22	47.52	S 61° 30' 21" W
L23	60.08	S 61° 30' 21" W
L24	28.68	S 61° 30' 21" W
L25	63.74	S 61° 30' 21" W

LEGEND

- PROPOSED
- LOT LIP
- CENTER
- STREET
- EASEMENT
- ADJACE
- NEW CE
- SECTIO
- PUBLIC
- SET 5/8 CAP. OF 191517
- PURPOSE



SEE DETAIL A

**LAYTON CITY COUNCIL MEETING
AGENDA ITEM COVER SHEET**

Item Number: 6.A.

Subject:

Rezone Request – Adams/Craythorne – A (Agriculture) to R-1-8 (Single-Family Residential) – Ordinance 15-15 – Approximately 752 West Gentile Street

Background:

The property proposed for rezone includes 17.36 acres located on the south side of Gentile Street at 752 West. The rezone area consists of two long, narrow parcels (312 feet wide) with Gentile Street frontage on the north and the D&RG Rail Trail corridor on the south. The north parcel contains 8.41 acres and the south parcel contains 8.95 acres.

The rezone area is surrounded by R-2 and R-1-8 zoning to the north, A, R-1-8 and R-1-10 zoning to the east, R-1-8 zoning to the south, and A, R-1-8 and R-1-10 zoning to the west.

Alternatives:

Alternatives are to 1) Adopt Ordinance 15-15 approving the rezone request from A to R-1-8 based on consistency with General Plan land use and density recommendations; or 2) Not adopt Ordinance 15-15 denying the rezone request from A to R-1-8.

Recommendation:

On May 12, 2015, the Planning Commission voted by a margin of 5 to 1 to recommend the Council adopt Ordinance 15-15 approving the rezone request from A to R-1-8 based on consistency with the General Plan land use and density recommendation for this area of the city.

Staff supports the recommendation of the Planning Commission.

ORDINANCE 15-15
(Adams/Craythorne)

AN ORDINANCE AMENDING THE ZONING ORDINANCE BY CHANGING THE ZONING CLASSIFICATION OF THE HEREINAFTER DESCRIBED PROPERTY, LOCATED AT APPROXIMATELY 752 WEST GENTILE STREET STREET FROM A (AGRICULTURE) TO R-1-8 (SINGLE FAMILY RESIDENTIAL) AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has been petitioned for a change in the zoning classification for the property described herein below; and

WHEREAS, the Planning Commission has reviewed the petition and has recommended that the petition to rezone said property from A to R-1-8 be approved; and

WHEREAS, the City Council has reviewed the Planning Commission's recommendation and has received pertinent information in the public hearing regarding the proposal; and

WHEREAS, at the conclusion of the public hearing and upon making the necessary reviews, the City Council has determined that this amendment is rationally based, is reasonable and is consistent with the intent of the City's General Plan, which is in furtherance of the general health, safety and welfare of the citizenry.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:

SECTION I: Repealer. If any provisions of the City's Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: Enactment. The zoning ordinance is hereby amended by changing the zone classification of the following property from A (Agriculture) to R-1-8 (Single Family Residential).

BEG 366.5 FT W & 33 FT S FR THE NE COR OF NW1/4 OF SEC 29, T4N-R1W;
SLM: TH W 30 FT; TH S 200 FT, TH W 90 FT, TH N 200 FT, TH W 94.4 FT, TH S
200 FT, TH W 97.45 FT, TH S 1087 FT, TH E 311.95 FT, TH N 1287 FT TO BEG.

CONT. 8.41 ACRES

BEG AT APT ON S BNDY LN OF LAYTON TOWN; W 366.5 FT & S 1320 FT FR NE
COR OF NW 1/4 OF SEC 29; T4N-R1W; SLM: TH W 311.95 FT; TH S 836 FT TO
E'LY R/W LINE OF DRG RY; TH S 33^18' E 545 FT M/L TO PT DUE S OF BEG; TH
N 1275 FT TO BEG.

CONT. 8.95 ACRES.

SECTION III: Update of Official Zoning Map. The Official Layton City Zoning Map is hereby amended to reflect the adoption of this ordinance.

SECTION IV: Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of the said ordinance.

SECTION V: Effective date. This ordinance shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is more remote from the date of passage thereof.

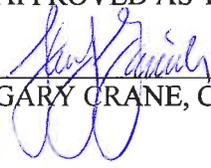
PASSED AND ADOPTED by the City Council of Layton, Utah, this _____ day of _____, 2015.

ROBERT J STEVENSON, Mayor

ATTEST:

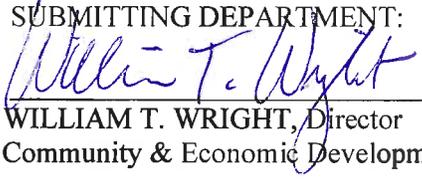
THIEDA WELLMAN, City Recorder

APPROVED AS TO FORM:



GARY CRANE, City Attorney

SUBMITTING DEPARTMENT:



WILLIAM T. WRIGHT, Director
Community & Economic Development



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

STAFF REPORT

TO: City Council

FROM: Peter Matson, AICP - City Planner 

DATE: June 4, 2015

RE: Rezone Request – Adams/Craythorne Development – A to R-1-8 – Ordinance 15-15

LOCATION: 752 West Gentile Street

CURRENT ZONING: A (Agriculture)

CURRENT MINIMUM LOT SIZE: 1 Acre

PROPOSED ZONING: R-1-8 (Single Family Residential)

PROPOSED MINIMUM LOT SIZE: 8,000 square feet

DESCRIPTION OF REZONE AREA

The property proposed for rezone includes 17.36 acres located on the south side of Gentile Street at 752 West. The rezone area consists of two long, narrow parcels (312 feet wide) with Gentile Street frontage on the north and the D&RG Rail Trail corridor on the south. The north parcel contains 8.41 acres and the south parcel contains 8.95 acres. The rezone area is surrounded by R-2 and R-1-8 zoning to the north, A, R-1-8 and R-1-10 zoning to the east, R-1-8 zoning to the south, and A, R-1-8 and R-1-10 zoning to the west.

BACKGROUND INFORMATION AND STAFF REVIEW

The applicant for this rezone is Craythorne Development representing Luke and Diana C. Adams, owners of the property. The north parcel has frontage on Gentile Street between two single-family homes for a width of 100 feet. There is also a small 30-foot section of Gentile Street frontage at the northeast corner of the north parcel (see attached Map 2). The south boundary of the rezone area is contiguous to the D&RG Rail Trail for a distance of 554 feet.

The subdivisions in this neighborhood (bounded by Gentile Street on the north, Flint Street on east, Weaver Lane on the south, and Angel Street on the west) are located in primarily the R-1-8 and R-1-10 zoning districts. The General Plan recommendation for this area of the city is for single-family

residential at 2-4 units per acre. The proposed R-1-8 zone is within this density range and consistent with this recommendation. It is anticipated that, upon rezone of the property, the applicant will pursue development of a single-family subdivision under the guidelines and requirements of the R-1-8 zoning district.

The rezone area is serviceable by city utilities in the area. More specifically, the Engineering Division has identified that the 10" culinary water line in Gentile Street is sufficient to provide service for a distance of 1,500 feet south of Gentile Street. At the 1,500-foot distance, the water line servicing the rezone area will need to be looped to one of the stub streets in the subdivision to the east (see attached Map 2 and Engineering Division memorandum). Sanitary sewer service will need to either connect through an acquired easement to one of the stub streets in the subdivision to the east, or connect through an acquired easement to the 8" sewer line in 775 West (Trailside Drive) on the west side of the D&RG Rail Trail (UTA r-o-w) (see attached Map 2).

Storm drainage for the rezone area will connect to a 48" storm drain line at the south end of the property. The Engineering Division indicates that a detention pond will be required at the south end of the rezone area to detain storm water that will discharge into the 48" line at a rate consistent with city engineering standards. The pond will be owned and maintained by an established HOA.

STAFF RECOMMENDATION

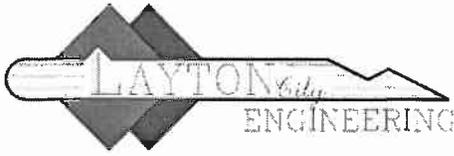
Staff recommends the Council adopt Ordinance 15-15 approving the rezone request from A to R-1-8 based on consistency with the General Plan land use and density recommendations for this area of the city.

Engineering  Planning  Fire 

PLANNING COMMISSION PROCEEDINGS AND RECOMMENDATION

The Planning Commission reviewed this rezone request on May 12, 2015. Several residents were in attendance expressing concerns about the loss of farmland. Residents also discussed the proposed R-1-8 zoning compared to an R-1-10 designation.

The Planning Commission recommended, with a 5 to 1 vote, that the Council adopt Ordinance 15-15 approving the rezone from A to R-1-8 based on consistency with General Plan land use and density recommendations for this area of the city.



Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Luke & Diana Adams
Eric Craythorne; ecraythorne@gmail.com

CC: COMMUNITY DEVELOPMENT & FIRE DEPARTMENT

FROM: Shannon Hansen, Assistant City Engineer - Development

DATE: April 28, 2015

SUBJECT: Luke L and Diana C Adams Rezone
752 West Gentile

I have reviewed the Petition for Amending the Zoning Ordinance for two parcels totaling approximately 17.36 acres at 752 West Gentile. The applicant is requesting a zoning change from A to R-1-8 to match the general plan. The Engineering Department has the following comments or concerns regarding the approval of the rezone.

Water – There is an existing 10” waterline on the south side of Gentile. The waterline will need to be looped after 1,500 feet to provide adequate service. The waterline can be looped to the lines in 225 South, 350 South, or 425 South. A 20 foot easement from the adjoining property owner will need to be obtained by the developer before any development of the southern portion of the property can occur.

Sanitary Sewer – There are two options for a sanitary sewer connection.

There is an 8” sewer line in 225 South and a 10” sewer line in an easement south of 425 South to Weaver Lane. A 20 foot easement from the adjoining property owner will need to be obtained by the developer before any development of the property can occur. If this easement is combined with the culinary water easement, the total easement width would be 30 feet (20 feet for the first utility and 10 feet for the second utility).

The other option is a connection to the 8” line in 775 West on the west side of the UTA right-of-way. A 20 foot easement from the affected property owner will need to be obtained by the developer before any development of the property can occur. Because the connection will be through UTA’s right-of-way, a permit from UTA will be required. This line will be installed under a 48” storm drain line, a fiber optic trunk line, and 2 high pressure gas lines. The line will need to be installed a casing from 10 feet northeast of the storm drain line to 10 feet southwest of the outside gas line.

The following utility information is provided for informational purposes and may not be inclusive.

Storm Drain – There is a 48” storm drain on the south end of the property, which is at capacity. The developer will be required to provide detention for a 100 year return storm event. The pond can discharge into the pipe at a 0.2 cfs/acre release rate. The landscaping for the pond will be owned and maintained by an HOA.

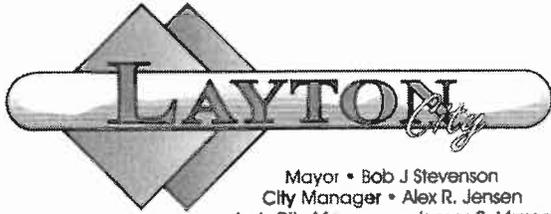
Land Drain – A land drain system will need to be installed. The land drain can connect to the 48” storm drain pipe at the south end of the property.

Lighting – Lighting will be required in the public right of way.

Secondary Water – Secondary water is not available to this site

Water Exactions - Layton City passed a water exaction ordinance on November 4, 2004 requiring all developments to purchase and bring a quantity of water (3 acre-feet per “developed” acre) based on a modified total square footage of lots plus any additional open space. The exact amount of water to be dedicated to Layton City will be determined with the site plan submittal.

Jordon Valley Water has expressed interest in obtaining an easement north of the UTA right-of-way. The contact is JT Cracroft at jtc@jvwcd.org; 801-565-4300.



• Fire Department •
Kevin Ward • Fire Chief
Telephone: (801) 336-3940
Fax: (801) 546-0901

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

MEMORANDUM

TO: Community Development, Attention: Julie Matthews

FROM: Douglas K. Bitton, Fire Prevention Specialist 

RE: Luke L. and Diana Adams (Rezone) @ 752 West Gentile Street

CC: 1) Luke and Diana Adams, 777 East Gentile Street
2) Eric Craythorne, ecraythorne@gmail.com

DATE: April 20, 2015

I have reviewed the plat received on April 17, 2015 for the above referenced project. The Fire Department, with regards to the rezone, does not have any comments at this time. However, for future development our concerns include but are not limited to the following:

1. A minimum fire flow requirement will be determined for buildings that are to be built on this property. The fire flow requirement must be determined by the Fire Prevention Division of this department and will be based upon the type of construction as listed in the building code and total square footage of the building. Prior to applying for a building permit, provide the Fire Prevention Division of this department the type and size of structure(s) to be built.



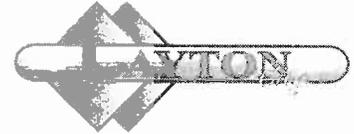
Luke L. and Diana Adams (Rezone)
April 20, 2015
Page 2

2. Designated fire access roads shall have a minimum clear and unobstructed width of 26 feet. Access roads shall be measured by an approved route around the exterior of the building or facility. If dead-end roads are created in excess of 150 feet, approved turnarounds shall be provided.
3. Where applicable, two means of egress may be required.
4. On site fire hydrants may be required.

These plans have been reviewed for Fire Department requirements only. Other departments may review these plans and will have their requirements. This review by the Fire Department must not be construed as final approval from Layton City.

DB\Luke & Diana Adams RZ:kn
Plan # S15-055, District # 44
Project Tracker: #LAY 1504171518





Memorandum

To: Planning Commission
From: JoEllen Grandy, Parks Planner Intern
Date: April 20, 2015
Re: Luke L. & Diana C. Adams, Rezone – 752 W. Gentile St.

The proposed Luke L. & Diana C. Adams Rezone does not impact the Parks & Recreation Department; however, it should be noted that no access is to be allowed from any future lots to the D&RG Trail as development occurs.

The southern section of this rezone is within the future service area of Whispering Willows. All other area is located outside a park service area.

Recommendation

Parks & Recreation supports approval of the Luke L. & Diana C. Adams Rezone located at 752 W. Gentile Street.

Attention Engineers & Developers: Please do not resubmit plans until you have received comments from Layton City Fire Department, Parks Department, Engineering Division and Planning Division. You may expect to receive comments within 7-10 business days of a submittal and within 7 business days of a resubmittal. Thank you.

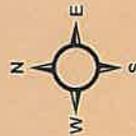
City Council Meeting

June 4, 2015

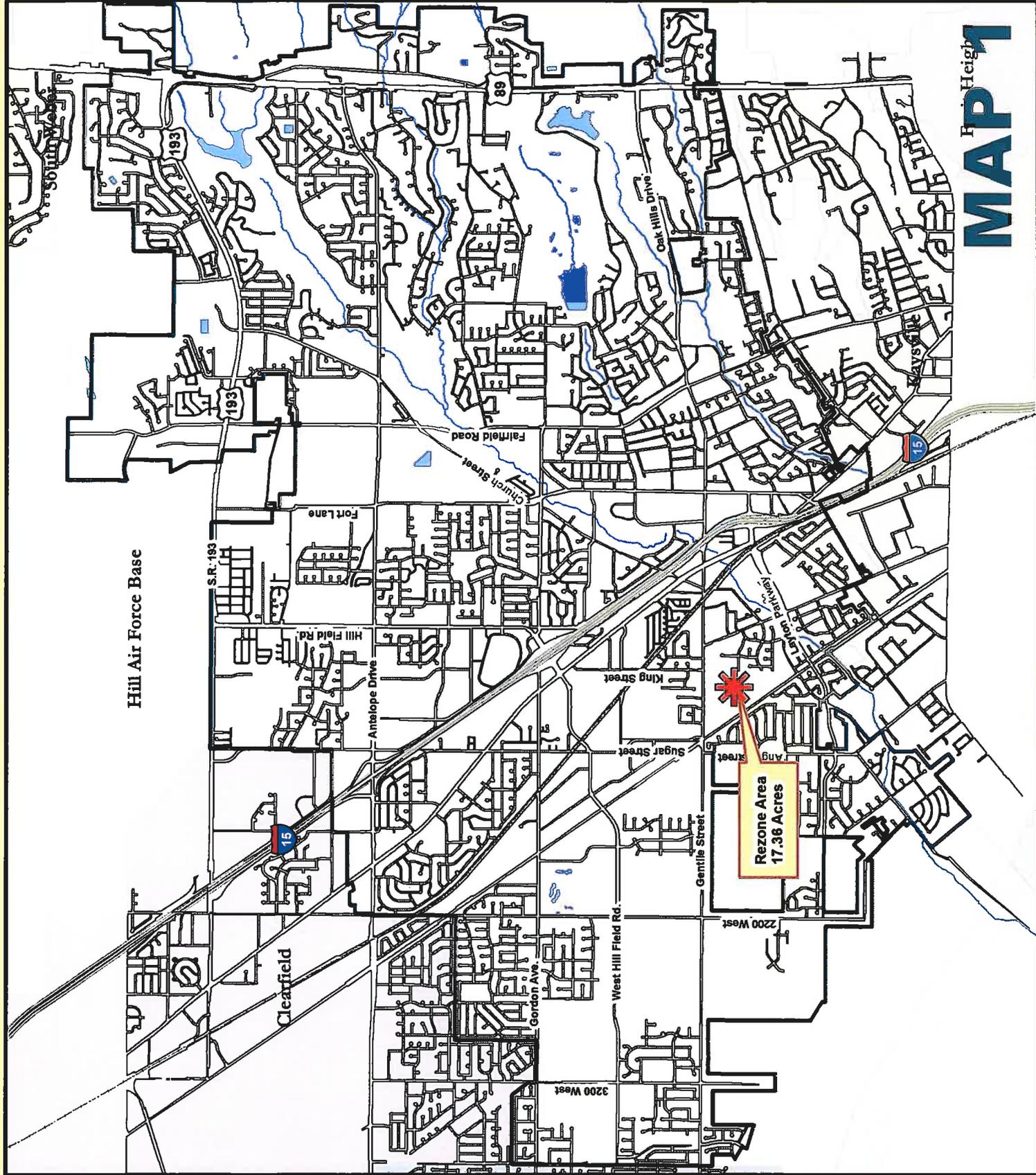
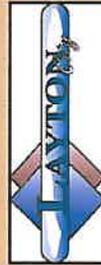
Adams-Craythorne Rezone

A to R-1-8

- LEGEND**
- Rail Lines
 - Interstate 15
 - Layton City Boundary
 - Rights of Way
 - Lakes
 - Streams
 - Rezone Area



1 inch = 4,250 feet



**LAYTON CITY PLANNING COMMISSION MEETING MINUTES
MAY 12, 2015**

MEMBERS PRESENT: Brian Bodily, Dawn Fitzpatrick, Gerald Gilbert, Wynn Hansen, Brett Nilsson, Randy Pulham, Robert Van Drunen, Dave Weaver,

MEMBERS ABSENT: L.T. Weese

OTHERS PRESENT: Staff: Kem Weaver, Nicholas Mills, Julie Matthews
City Council Members: Tom Day, Joy Petro

Chairman Gilbert called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited and an invocation given by Commissioner Bodily.

Chairman Gilbert called for a motion to open the Public Hearing. Commissioner Nilsson moved to open the meeting. Commissioner Fitzpatrick seconded the motion, and the voting was unanimous.

PUBLIC HEARING:

1. LUKE L. AND DIANA C. ADAMS REZONE -- A TO R-1-8 -- Ordinance

This 17.36 acre property is located at approximately 752 West Gentile Street in an A (Agriculture) zoning district. The applicant, Craythorne Development, is representing the property owners, Luke L. and Diana C. Adams.

Kem Weaver presented the request for rezone from Agriculture to R-1-8, single family residential zoning for the property located at 752 West Gentile Street. The property is 17.36 acres on the south side of Gentile Street. The rezone area consists of 2 parcels. Mr. Weaver said that while R-2, R-1-8, R-1-10 and Agriculture zoning districts are in the surrounding area, most property is primarily zoned R-1-8 and R-1-10. The density, which the General Plan allows for in the R-1-8 and the R-1-10 zones in this area is 2-4 units per acre.

Mr. Weaver said the applicant is Craythorne Development representing the owners Luke and Diana Adams.

Mr. Weaver said the property has 130 feet of frontage on Gentile Street and also another small portion of frontage on Gentile. He described the location of the D&RG rail trail as it related to the proposed development. He said the property could be serviced by a Layton City 10 inch water line sufficient to provide service 1500 feet in from Gentile Street. At 1500 feet, the water line will need to be looped to 225 South or

350 South, which are roads that stub into the property. Sanitary sewer service will need to connect through one of the stub streets or through an easement on Trailside Drive. He said there was a 48 inch storm drain line along the D&RG rail trail on the south portion of the property. A detention basin will be required on the south end to capture the storm water and meter it out.

Mr. Weaver said Staff's recommendation is for the Planning Commission to forward a positive recommendation to the City Council to adopt Ordinance 15-15 to rezone the property from A to R-1-8 based on consistency with the General Plan.

Chairman Gilbert reviewed the audience comment guidelines.

Eric Craythorne, West Point, said he was representing the Adams Family. He said there are 17.36 acres requested to be rezoned and there will be just 30 lots due to access off Gentile Street. He said about 9 acres will be undeveloped until other surrounding acres are developed.

Mr. Craythorne addressed information that had been circulated to area residents' homes. With regard to the information requesting that rezoning be stopped and the property remain agriculture, he said that he did approach surrounding property owners, but no agreement was reached.

With regard to information circulated asking to stop the dangerous development of the proposed development, he said that that may be referring to the sewer line crossing under the petroleum line along the D&RG trail. He said he had met with the Tesoro representative over land acquisitions who gave them a letter and instructions on proceeding with the sewer line. He said he would follow those instructions. The Commission was given a copy of the letter. He said two feet of separation was required between the pipeline and the sewer line. In this case, the developer will have a 4-5 foot separation.

Mr. Craythorne said he approached the owner about getting an easement for the sewer through the stub road but didn't get a favorable response.

Chairman Gilbert asked if he received the easement, would he have proceeded with the road. Mr. Craythorne said they discussed other options.

Commissioner Hansen asked if Mr. Craythorne had made several efforts to sell the property to adjacent owners. He expressed concerns that narrow properties develop in strips one at a time. He asked again if Mr. Craythorne had made an honest effort to contact adjoining property owners to work this out and connect to one of the stub streets to get traffic out another way.

Mr. Craythorne said yes, he had and an agreement couldn't be reached with the adjacent property owner.

Commissioner Nilsson said it appeared the letter from Tesoro was addressed to Ed Green. Mr. Craythorne explained that Mr. Green is a partner in the development of the property. The letter is specific to this property.

Mr. Craythorne said they would pothole where the 12-inch petroleum line is and be certain of its location before putting the sewer line in.

Commissioner Hansen asked what level of interest would be needed for a traffic study before developing the preliminary plat. He felt it would be beneficial to the Commission to have such a traffic study done.

Mr. Craythorne clarified that Commissioner Hansen meant additional traffic on to Gentile Street. He said he would have a traffic study done if it is desired by the Planning Commission.

Carol Dimock, 438 South 450 West, spoke of a problem with the Emigration Canyon pipeline and how a water supply was affected. She also mentioned the Willard Bay pipeline issue. She felt there were too many things to cross the pipeline that would be harmful to families, homes and the City in general. She felt money was being given priority over principles. She felt there were very few small parcels like this that children can enjoy. She had concerns about traffic.

Jean Clement, 733 West Gentile Street, said that even though the owner's representative said he'd contacted all the property owners to see if they had an interest in purchasing this piece, no one contacted her. Ms. Clement reported on a traffic study she had done between 8:20 to 8:30 a.m. and said there were 362 cars both east of west, with the traffic being forced to a standstill up 16 times from her house to Angel Street. In the afternoon after school recessed, 572 cars passed east and west with the traffic at a standstill 10 times. She felt the rezone would cause 60 more cars a day from the 30 homes. It takes her 10 minutes to get out of her driveway on to Gentile Street.

Ms. Clement asked that the developer would make the entrance to the development look nice. She felt the zoning should be R-1-10 to limit the amount of homes and vehicles. She felt the developer should wait and develop the property all at once with a park and walking paths and not go under the pipeline.

Ms. Clement mentioned the Envision Layton community exercise and wondered if the City was serious about trying to save agriculture. She said the development would be an eyesore.

Chairman Gilbert reminded the audience that before the Commission was a rezone request from a property owner. He said the only area of concern was the area proposed for rezone. He said the request fit the General Plan.

Tyson Roberts, 928 South Angel Street, said he had been a partner with the land owner on both sides of this property for the last 10 years. He expressed concerns about water for future development, continued farming of the two afore mentioned parcels, irrigation lines and ditches and issues with drainage water. He said he would have to have an easement to get water to both sides of the property where he farms.

Mr. Roberts expressed concerns about traffic on Gentile Street and the big farming equipment making it worse. He felt R-1-8 zoning was irresponsible.

Commissioner Hansen asked if Mr. Hansen had farmed the rezone property. Mr. Roberts said he had. He pointed out the ditches taking the tail water to the west and the above ground irrigation line supplying each of the three fields.

Christopher Layton, 2128 Birch Hollow cove, Draper, said his father has farmed the land for the last 40-50 years. He said they were told years ago they would never be able to tie into the storm drain to the south if they developed the subdivision. He said that his ancestor was the person who settled Layton and Layton was named after him. No one else had own the land his family owns.

Mr. Layton spoke of an incident in California where someone was fined for a fatal accident that happened when boring under a gas line. He said there is no other access for this developer to bring their sewer line through. He expressed concerns about the 9 acres that would not be developed questioning why the developer would rezone that portion and payer higher taxes on it. He mentioned that the property possibly cannot be developed without going through Commissioner Fitzpatrick's property.

Mr. Layton expressed concerns that the stub streets will be landlocked in the future if they can't connect.

Commissioner Weaver asked if the Layton's property on either side of the subject property would not be sold for the considerable future. Mr. Layton said it cannot be sold until sister dies in approximately 50 years.

Commissioner Weaver said he has seen property that wasn't going to be sold that was nevertheless sold in a short time.

Commissioner Nilsson asked if there was consideration for the Layton family to pick up the property. Mr. Layton said they have property inherited from the Roberts Family. They would have had to sell another piece to buy the Adams property.

Mary Searle, 12243 Grisly Hollow, Cove, Draper, Utah said she was a daughter of the property owner on either side of the Adams property. She expressed concerns that the 9 undeveloped acres would have a weed problem.

Dana Sykes, 625 West Gentile, expressed the concern that on the master plan, the home next to her is on property planned for a roadway.

Delaney Nalder, 628 West Gentile, introduced herself as the Layton Elementary PTA president. She said traffic is horrible and she asked for a traffic study.

Chairman Gilbert said the rezone was the first step of many and a traffic study would probably come in the future.

Ms. Nalder said the landowner has generously let her farm a little spot for several years. She expressed concerns about the tailwater and who would take care of the 9 acres.

Chairman Gilbert said the landowner would be responsible for the undeveloped 9 acres. He said by final plat, the developer has to be required to maintain water right-of-ways.

Ms. Nalder said at the Envision Layton workshop, the top desire in her group was farmland and access to fresh fruit and vegetables. She felt R-1-10 would make more sense. She expressed concerns about stub streets going over the pipeline.

Chairman Gilbert said he was part of that workshop, which was projecting the future of Layton for the year 2050. He said at the rate the City is going, there won't be any farmland left. The workshop was a want and wish list. Planners will gather the information and use it as a guide for the General Plan going forward.

Commissioner Hansen said any stub streets would have to be to the east. Commissioner Bodily stated a correction that with the block length requirements, the stub streets would have to be to the east and the west.

Ed Green, one of the developers, 2150 North Valley View Drive in Layton, listed all of the R-1-18 subdivisions he had developed in Layton and said he has never developed an eyesore or been known for that. Even though the zones are R-1-8 some of the lots are 10,000 square feet. The R-1-8 zoning is better for side yards with 8 feet on one side and 12 on the other, whereas R-1-10 zoning requires 10 feet on each side.

Mr. Green said when the economy wasn't good, he farmed his land he planned to develop. Other people will farm the 9 acres. He said Layton city has a weed ordinance and he'll get ticketed if he doesn't take care of the weeds.

Mr. Green said that just because there are lots that face east and west, it won't make the development an eyesore.

Commissioner Nilsson asked if Mr. Green had discussed irrigation systems with Mr. Craythorne. Mr. Green said they weren't that far in the development process to have an opportunity to consider irrigation. He had in the past addressed a similar situation in Swan Meadows where water easements for farms had to be continued.

Mr. Green said he was also from a generation of people whose family had also obtained their land through the US Patent, which was also land that had never been owned by anyone.

Councilmember Joy Petro, 683 West Gentile, adjacent landowner, asked the Commission to consider that their decisions impact the City for the future. She referenced the Eastridge Park property, which zoning decision made several years back. She said that even though a decision is brought before the Commission that evening, they didn't have to act on it. They could wait until questions are answered, especially knowing the families involved. She has worked with them all and they are all strong willed. She said she understands the need for a family to sell and that they have the rights to do that. She said that the Commission needs to look at the future and not put themselves in the same situation as what they've done before. They have the opportunity to delay the decision and she would like them to do that.

Ms. Petro said she personally would be interested in the property as well but was she was not contacted. She said she thought it was a gentleman's agreement and rightfully so between the farmer and landowner and they've worked cooperatively in the past. She said she felt this would be a dividing factor and some lines are going to be drawn in the sand, and it will be extremely tough going forward, especially when dealing with water rights, run off and the drainage at the end. Also mentioned was the grandfather law regarding the run off ditch. Her opinion was that down the road when everything is developed when the road would go in and the home would get taken out, she felt the zoning should be R-1-10. She said she wanted to protect her own personal land value and those around her. She encouraged the Commission to postpone or table their decision.

With regard to the traffic study, she said had also did her own traffic study and she said Ms. Clements numbers were pretty accurate. Ms. Petro did her own traffic study during an odd time of the day and found there were over 200 cars within a 10 minute span. She said it was difficult for her to get into her driveway due to traffic from Gentile Street and King Street and has been rear ended trying get into her driveway. She said the cars get backed.

She asked the Commission to exercise their rights and authority and postpone the decision.

Barry McClellan, 611 West 425 South, which is said was one of the stub streets, said he would be opposed to any development along that area, but preferred R-1-10 instead of R-1-8. He expressed concerns about the impact a development would have on traffic. He said the proposed development creates an area that divides up farmland that is in use. He said he doesn't want a settling pond to be created with mosquitoes.

Bryce Thurgood, 1798 West 1550 South #103, Roy Utah, the developer from Castle Creek Homes said he sat with the Layton siblings, Christopher and his sister and had good discussion on possible trades that would square up the land. They discussed trading a parcel but couldn't come to an agreement. They offered to trade the parcel for the one they wanted to sell west on Gentile. As far as never developing it, they asked if Castle Creek did buy it, how it would develop, so maybe the Layton family development is not so far in the future.

Mr. Thurgood said property in Layton, Kaysville and Farmington doesn't get advertised for sale. Developers go to property owners and ask about purchasing their land. This property had 2-3 people approach.

As far as the R-1-8 and the R-1-10 lots, most of the map is R-1-8. As they would lay out the subdivision, the averages would be 9500 to 10,000 sf. They use R-1-8 because of better side yards and more flexibility. This development would be similar to Weaver Park Subdivision which was just developed. Their reputation is pretty important to them and they wouldn't do anything to thwart that.

As far as water, he has dealt that with that with every project they've developed. They would continue to farm that piece or let Mr. Roberts continue to farm it. If the Planning Commission and City Council would give them the rezone they don't necessarily have to develop the property right away. The taxes don't change until the use changes.

Mr. Thurgood said they have exhausted every option they can to accommodate everyone and it seems like no one else wants to participate. They will still make a nice subdivision with a nice entrance. There would be about 100 feet between the homes on each side of the road. There would be nice landscaping. He compared what was planned to Pheasant Place with landscaping on both sides of the entrance.

Joy Petro asked Planning Commission had been faced with HOA issues. She said she knows one person in particular who has been frustrated with HOA's. She said if this development had an HOA, she would like to make sure the detention pond is addressed. She asked the Commission to remember that whatever they zone the property, that's how it stays in perpetuity. She asked them again to hold off on their decision until there are alternatives.

Chairman Gilbert reminded the audience that the Commission was only there to address the rezone and not other issues.

Diane Adams, 777 East Gentile, said her husband's grandparents owned the property and she and her husband own the property. She said they were not there to cause trouble, they just need to move on with life. She and her husband have health issues and she feels it is the time to sell the property. She said they have always worked with Dan Layton and gave him first chance last year. They would like to sell now and she felt some of the people would want to sell, too, when the time came in their life. She said her husband was in his 80's and she was almost there, too, and they have the right to sell their property and do with what it what they want to do with it.

Chairman Gilbert called for a motion on the item and then Jean Clement came to the microphone again and asked Commissioner Fitzpatrick if the sewer line would go in her back yard.

Commissioner Fitzpatrick said it would not go in her back yard. It will go in a cul-de-sac. Her property at that point is only about 20-22 feet deep. There are 7-foot public utility rights on either side of it. The piece of her property it would touch would be very minimal. It will be on her side yard in a shared cul-de-sac. She said she is in an R-1-8 zone on one-third of an acre and the home next to her is on one-half acre.

Ms. Clement asked Commissioner Fitzpatrick if the developer had contacted her about the sewer line easement.

Commissioner Fitzpatrick said that early on the developer asked if they would entertain giving up an easement. They said sure. They have seen no paperwork or discussed no money. They don't exactly know where the easement will go and how much of the property is affected. She said they have approached her and that is the extent of it.

Ms. Clement asked if there was a possibility Commissioner Fitzpatrick would be paid for the easement.

Commissioner Fitzpatrick said she didn't know if she would be paid.

Ms. Clement asked if they could get Commissioner Fitzpatrick on record stating that she would not be paid for this easement if it does come to be.

Commissioner Fitzpatrick said no because she jointly owns the property with her husband and that would be his decision as well.

Associate City Attorney, Nicholas Mills, said he didn't mean to cut off Ms. Clement, but at this point, the focus was just on the rezone. Commissioner Fitzpatrick has stated that at this point she has had no discussions beyond the initial inquiry if they would entertain the possibility of an easement.

Commissioner Fitzpatrick said she'd actually had more contact with people who don't want her to give the easement than she has had with the developer. She also stated during the work meeting that if it does become an issue, she will recuse herself if she needs to or if money transfers hand. She recused herself at another time when she felt she needed to do so. She said she trusts her judgment and that's where she stands on the issue at this point.

Tyson Roberts said that Commissioner Fitzpatrick mentioned her lot is a third acre and he asked her if the one to the north is a half acre. Commissioner Fitzpatrick replied in the affirmative. He said the property was zoned R-1-18, but the reason was because there was no other way to develop that corner. He said that would provide an average of R-1-8 and the other lots are smaller, so what Commissioner Fitzpatrick mentioned about lot size is not to say what an R-1-8 would look like. He said with the possibility of the easement going through her property, she had the option to recuse herself right now because she could gain from voting in favor of the rezone.

Commissioner Fitzpatrick said she had cleared that issue with the Legal Department. To have to recuse herself, there would need to be paperwork signed or a financial status at this point. She asked Mr. Mills if she was correct.

Mr. Mills said she was correct. At this point with just a developer saying potentially could we possibly do an easement, there is no conflict at this time.

Mr. Roberts said he was not a lawyer because lawyers find loopholes. What he said he was saying was that Commissioner Fitzpatrick had potential for financial gain.

Chairman Gilbert said they were there to discuss the rezone, and Commissioner Fitzpatrick's property had nothing to do with it.

Mr. Roberts said that his statement about Commissioner Fitzpatrick did have something to do with the rezone. The developer said her property is the only option.

Chairman Gilbert thanked the citizens for their input. He said it was the same scenario of people not wanting development in their backyard which gets everyone involved. But there is a landowner who has submitted a request. He said the Planning Commission will give a recommendation and the City Council will make the decision.

Commissioner Hansen asked Mr. Craythorne how the remaining 9 acres would be maintained. Mr. Craythorne said he would make sure the remaining 9 undeveloped acres would be maintained whether or not it is farmed.

Commissioner Hansen asked Mr. Craythorne if he had had any specific discussions regarding irrigation with the property owner on either side.

Mr. Craythorne said that before designing the development, they wanted to get the rezone. He said if there is a road down the center of the property, lots will be 127 feet deep. Lot averages will have to be a lot bigger than what is recommended. They want to provide nicer homes that match surrounding development.

Chairman Gilbert called for a motion on the item.

Commissioner Weaver moved that the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 15-15 and request a traffic study be completed prior to the presentation to the City Council and be included in the presentation to the City Council.

Chairman Gilbert asked Mr. Mills if a traffic study could be requested on a rezone. Mr. Mills said he didn't believe so at this point because there is nothing to study. All that is being done is the rezone at this meeting.

Commissioner Weaver modified his motion to move that the Planning Commission forward a positive recommendation to the City Council to adopt Ordinance 15-15 to rezone the Adams property from A to R-1-8. The motion was seconded by Commissioner Van Drunen. The motion passed by a margin of 5 to 1 with Commissioners Bodily, Fitzpatrick, Nilsson, Weaver and Van Drunen voting in favor and Commissioner Hansen opposed.